



Docket No.: 239209US26

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 10/824,478
Applicants: Jean-Yves LEGENDRE
Filing Date: April 15, 2004
For: APPLICATOR INTENDED TO BE ATTACHED TO A
FINGER
Group Art Unit: 3751
Examiner: Walczak, David J.

SIR:


Attached hereto for filing are the following papers:

Election of Species

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 239209US26



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JEAN-YVES LEGENDRE : EXAMINER: WALCZAK, DAVID J.
SERIAL NO: 10/824,478 :
FILED: APRIL 15, 2004 : GROUP ART UNIT: 3751
FOR: APPLICATOR INTENDED TO BE :
ATTACHED TO A FINGER

ELECTION OF SPECIES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election of species requirement mailed April 11, 2006, Applicants hereby elect species I. Claims 1-4, 7-13, 15, 19, 20, 23, 29, 30, 34-35, 37, 39, 46, 48 and 54 read on the elected species. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-59 is sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 states that if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Application No. 10/824,478
Reply to Office Action of April 11, 2006

The Examiner is respectfully requested to reconsider and withdraw the election of species requirement and to examine all claims in this application.


Respectfully submitted,

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